104-10140-10417

JFK ACT RELEASE

APPROVED FOR RELEASE 1993
CIA HISTORICAL REVIEW PROGRAM

OLC RECORD COPY

1 December 1976
OLC: 76-3488

HSCA on assassinations
~~not Ron~~ Ginsberg

HSCA
77-0020/2

MEMORANDUM FOR THE RECORD

SUBJECT: House Select Committee on Assassinations

1. Mr. George Cary and I met today for three and a half hours with Mr. Richard C. Sprague, Chief Counsel, House Select Committee on Assassinations, for his review of the Agency's analysis and related CIA documents of the Kessler article alleging the Agency withheld details of Lee Harvey Oswald's activities in Mexico from the Warren Commission. We also discussed the draft Memorandum of Understanding between the Committee and the FBI and the Director's letter to the Chairman on destruction of Agency documents.

2. Sprague raised a number of questions particularly why the Mexico Station, in its first report to Headquarters, only mentioned that an individual identifying himself as Oswald contacted the Soviet Embassy inquiring about a telegram and did not report than an individual a few days earlier had contacted the Embassy seeking to go to Russia. He made clear that he was using hindsight and that the questions he raised may be explainable. His other questions and comments are set forth in the attachment.

3. Sprague stressed that he wants to set the record straight and will seek the best evidence to resolve any questions raised. In this regard, he noted that those people the Committee has interviewed who worked on the transcript at the Mexico Station provided more information than shown in our transcripts. Also, they indicated that Oswald spoke only in English, whereas the transcripts indicate he at times spoke Russian. He will be re-interviewing them to resolve that question and asked that we provide him the transcripts. He suggested that the Agency may want to participate in the interviews since the Agency would undoubtedly have a strong interest in the matter. Mr. Cary noted that the Agency has been very reluctant to contact any of our people in connection with Committee investigations to avoid any impression that we are counseling their responses to protect the Agency; however, he would discuss this suggestion with the Director.

4. Sprague accepted the offer by Mr. Cary to visit the Agency and talk to our people who are most knowledgeable of the Agency information on Oswald's activities in Mexico and can better explain the questions he has raised. Sprague emphasized that he wants to conduct the investigation in close cooperation with the Agency and understands and appreciates the security sensitivities. He said he is appalled at the damaging effects of the Freedom of Information Act upon the agencies. To stress his position on confidentiality, he said he has withheld confidential information from the courts despite threat of contempt citations.

18915

E 2 IMPDET CL BY

5. We informed Sprague that Larry Callahan of the Justice Department and Paul Daley of the FBI, approved the references to DCID 1/14 in the Memorandum of Understanding with the Bureau. Sprague accepted the addition and other changes. He will expedite finalizing the agreements with Justice and will get together with our Security people as soon as possible to work out procedures with the Agency. He suggested a change in the Director's letter on document destruction to make clear that the Committee is to make a determination on destruction before any material is destroyed.

Patrick L. Carpentier

PATRICK L. CARPENTIER
Assistant Legislative Counsel

Distribution:
1 - General Counsel
1 - Mr. Bolten, SA/DDCI
1 - Mr. Breckinridge, D/IG
1 - Mr. Stembridge, DD/Sec
1 - John Leader, OIG
1 - Russ Holmes, CI Staff
1 - Philip Fendig, SA/DO/O
1 - OLC Subject
1 - OLC Chrono

OLC:PLC:ca:2 Dec 76

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QUESTIONS AND COMMENTS DURING SESSION WITH RICHARD SPRAGUE, CHIEF COUNSEL, HOUSE SELECT COMMITTEE ON ASSASSINATIONS - 1 DECEMBER 1976 DURING HIS REVIEW OF AGENCY COMMENTS ON THE KESSLER ARTICLE OF 26 NOVEMBER 1976

1. QUESTION: Does the material which we made available to him include all of the transcripts? Were there any copies in Russian?

2. QUESTION: Where are the originals of the transcripts?

3. COMMENT: The Committee has contacted the persons who allegedly translated and typed the transcripts. Both of them said that in his conversations with the foreign embassies Lee Harvey Oswald did talk of a "deal" to go to Russia. Furthermore, both of these individuals said that Oswald spoke in English not Russian. From their interviews of these individuals, the Committee feels they have obtained more information than was involved in the Oswald conversations than is included in the transcripts which we made available to Mr. Sprague.

4. QUESTION: What arrangements could be made for the people whom the Committee has interviewed to review the transcripts which we made available to Mr. Sprague for the purposes of clarifying gaps, discrepancies, or inconsistencies in their statements and inferences to be drawn from the transcripts we made available? Sprague assumes that the Agency is as interested in getting this whole business resolved as the Commitee is (we indicated that indeed we were and that we would take this subject up with our people and be back in touch with him. Mr. Sprague said he would provide us with the names of the individuals whom they have interviewed and inferred that Agency representatives might be allowed to be present during these sessions if we desired.)

5. COMMENT: It appears in reviewing the various letters, affidavits, etc., that there was a deliberate attempt on the Agency's part to avoid any references to information concerning Oswald's interest in travelling to Cuba and Russia. For example, the cablegram from a station in Mexico related only to the telegram and made no mention on Oswald's part to go to Russia.

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6. QUESTION: If there were taps on both embassies, why are there not two transcripts of Oswald's conversations from one embassy to the other?

7. QUESTION: Was there any provision for holding the tapes of any conversations in the event any interest was shown in them? This is particularly pertinent in view of a cable to Headquarters when five days later Oswald was identified as the individual involved.

8. QUESTION: With reference to the Belin letter, regarding the photo which was suspected of being Oswald, when was the cablegram prepared? There appears to be evidence that the cable was prepared sometime before it was sent.

9. QUESTION: Why was a description of a man taken from a photograph of a person going into the Russian embassy used to identify a man who placed a telephone call at the Cuban embassy?

10. QUESTION: Were photographs made of all persons who entered the embassy?

11. COMMENT: It's rather strange that there was no interest in an individual who was inquiring about going to Cuba and to Russia at a time when it was against U. S. law to travel to Cuba.

12. QUESTION: Who made the marginal notes on the transcripts? It appears that most of the notations were made by the same person and with the same type of writing instrument.

13. QUESTION: With respect to the Helms letter, why didn't Helms say anything about the visa request to Russia, instead of dealing only with the telegram?

14. COMMENT: I have a feeling that there was an effort not to disclose the visa aspects of this case.

15. QUESTION: With respect to the 25 November 1963 Helms letter regarding the transcripts of the three phone calls, how can you make voice comparisons when the tapes have been erased?

16. COMMENT: He does not agree with the chronology of of the photographs. He also inquired who wrote the chronology.

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SECRET

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CIA HISTORICAL REVIEW PROGRAM

JOURNAL

Guidelines
J-2

OFFICE OF LEGISLATIVE COUNSEL

HSCA
77-0007/12

Friday - 3 December 1976

1. (Unclassified - BAA) LIAISON Per Mr. Cary's request, sent via courier, a copy of DCID 1/14 to Charles Snodgrass, Defense Subcommittee staff, House Appropriations Committee.

2. (Secret - GLC) LIAISON Called Richard Sprague, Chief Counsel, House Select Committee on Assassinations, at his Philadelphia office, to follow up on our meeting on Wednesday and to tell him that Mr. Bush and Mr. Knoche would be very interested in meeting with Chairman Thomas Downing (D., Va.) and Representative Henry Gonzalez (D., Texas). Sprague thought this was an excellent idea. Sprague said he would be speaking to the Democratic Caucus on Thursday and he would mention the good cooperation the Agency is giving the Committee. I also told him that I would to have Sid Stembridge, DD/OS, come by and talk to him about security matters, including physical security measures for Committee offices. Sprague was interested and suggested that we come by on Monday at 10:00 a.m. Mr. Stembridge has been notified.

Later in the afternoon, I again called Sprague about the cable in from Mexico City regarding the contact of Kenneth Brooten and Jonathan Blackmer, also of the Select Committee, with the Ambassador and the COS. Sprague said he had no intention or desire to have the Agency involved in staff contact with the Cuban Embassy. He said he had instructed them to make no contact with Cubans without the knowledge of and the approval of the Ambassador. He said he contemplated the possibility of the Ambassador making an inquiry through the Swiss on their behalf but did not want to involve the Agency in the Committee's investigation. We agreed completely on the matter.

3. (Secret - GLC) LIAISON Called Bill Miller, Staff Director, Senate Select Committee on Intelligence, and discussed several matters with him, including Tom Moore's, also of the Committee staff, request for information on George DeMorenschildt; the Reserve release letter on the storage of the Glomar Explorer; Elliot Maxwell's, also of the Committee staff, wanting to get in touch with some of our people on the West Coast and supplemental authorization appropriations. (See Memorandum for the Record.)

18916

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E.2 IMPDET CL BY 016121

6. (Unclassified - NDL) LIAISON In response to a letter from Representative Robert W. Edgar (D., Pa.) concerning an article in The Sunday Bulletin entitled "CIA Disputes Broomall Wiretap Story," which contained erroneous information concerning the Congressman, I called Kathy Keel, the Congressman's personal secretary, and told her that a letter had been forwarded by our General Counsel to the Department of Justice on 3 December 1976 seeking their assistance in investigating this matter. She thanked me for my call and said no written response would be necessary.

7. (Internal Use Only - BAA) LIAISON Received a call from Kathy, DDO/British Desk, who said they were in receipt of a message from London Station pertaining to the message that came in this morning for Richard Moose, Senate Foreign Relations Committee staff, from Senator Dick Clark (D., Iowa) requesting confirmation of the receipt of the message and the time. After talking to Moose, I called Kathy and told her that Moose received the message at 2:00 p.m. and that there would be no response back to the Senator. She will take care of sending out the appropriate response.

8. (Unclassified - NDL) LIAISON Received a call from Richard Dingman, Representative John B. Conlan's (R., Ariz.) Administrative Assistant, who wanted to know the procedures the Congressman should follow in requesting information on himself under FOIA. I told him to write to George Cary and gave him the address and said we would process it from there.

9. (Internal Use Only - GLC) LIAISON Richard Sprague, Chief Counsel, House Select Committee on Assassinations, called to say that he would have to again postpone the meeting we had scheduled for today at 10:30 a.m. We compared schedules and decided to meet at 10:30 a.m. tomorrow. Sprague asked if I would have the letter on destruction of documents. I told him that I planned to bring along the final draft for him to look at. We then discussed setting up a meeting with the Director, Chairman Thomas Downing (D., Va.) and Representative Henry Gonzalez (D., Texas). He suggested that the meeting include the Ranking Minority Member, Samuel L. Devine (R., Ohio), who he said is a great admirer of Mr. Bush. I told him I would check the Director's calendar and get back in touch with him.

18917

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CIA HISTORICAL REVIEW PROGRAM

The Director
Central Intelligence Agency

Washington, D.C. 20505

OLC 76-3580
ER # 76-4021

OLC REVISED COPY

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8 DEC 1976

Honorable Thomas N. Downing, Chairman
Select Committee on Assassinations
House of Representatives
Washington, D. C. 20515

Guidelines
HSCA
77-0012

Dear Mr. Chairman:

Mr. Lyle Miller, of my staff, has relayed to me the interest of your Chief Counsel, Mr. Richard Sprague, that records related to the investigation of the deaths of John F. Kennedy and Martin Luther King, Jr. not be destroyed once the "moratorium" on the destruction of Agency records is lifted. Let me assure you that there is no cause for concern.

The "moratorium" was imposed on the destruction of CIA records in 1975 during the investigation by the Senate Select Committee to Study Governmental Operations with Respect to Intelligence Activities and will expire on 10 December 1976. At that time regular document destruction will begin in accordance with records control schedules approved by the Archivist of the United States and subject to review by the Senate Select Committee on Intelligence. The Agency's policy in regard to the lifting of the destruction "moratorium" and the application of records control schedules to the orderly disposition of Agency records was published in the Federal Register, a copy of which is enclosed.

It is CIA's policy to fully support investigative bodies of the Executive, Legislative, or Judicial Branch, and we will continue to do so. Once the "moratorium" is lifted, we will destroy no materials which would appear to relate to your investigations or be of interest to your Committee. Further, we will make available for your review the lists for disposition of records prepared for the Archivist at the same time these lists are submitted to the Senate Select Committee on Intelligence. Material designated for destruction in the lists will not be destroyed until your Committee notifies the Agency that it has completed its review, and has no objection. To date, 15 lists have been furnished to the Senate Select Committee and they will be made available for your review immediately.

18918

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF AGRICULTURE

Forest Service

CASCADE HEAD SCENIC-RESEARCH AREA

Availability of Final Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Forest Service, Department of Agriculture, has prepared a Final Environmental Statement for the Management Plan on the Cascade Head Scenic-Research Area, USDA–FS–FES (Adm) 76–06.

The environmental statement concerns a Management Plan which specifies management objectives and management controls necessary for the protection, management and development of the Cascade Head Scenic-Research Area. The Management Plan strives to promote a cooperative relationship with private landowners within the Area so the intent of Pub. L. 93–535 and the plan can be met. It provides for limited new public facilities to aid area visitors and it severely limits some uses and activities. It outlines management direction for the Lower Slope-Dispersed Residential Subarea which may result in some additional residences being built. It establishes a land acquisition program to implement the provisions of this plan and of Pub. L. 93–535. It establishes a long term goal of restoring the Salmon River estuary and its associated wetlands to a natural estuarine system free from man's developments. It displays a research program designed to study the coastal ecosystem.

The Final Environmental Statement was transmitted to CEQ on November 16, 1976.

Copies are available for inspection during regular working hours at the following locations:

USDA, Forest Service, South Agriculture Bldg., Room 3210, 12th St. and Independence Ave., SW., Washington, D.C. 20250.

USDA, Forest Service, Pacific Northwest Region, Multnomah Building, 319 S.W. Pine Street, Portland, Oregon 97204.

USDA, Forest Service, Siuslaw National Forest, 545 S.W. 2nd, Corvallis, Oregon 97330.

USDA, Forest Service, Siuslaw National Forest, Hebo Ranger District, Hebo, Oregon 97122.

A limited number of single copies are available upon request to:

Forest Supervisor, Siuslaw National Forest, 545 SW. 2nd, Corvallis, Oregon 97330.

Copies of the Environmental Statement have been sent to various Federal, State, and local agencies as outlined in the CEQ guidelines.

R. MAX PETERSON,
Deputy Chief, Forest Service.

NOVEMBER 16, 1976.

[FR Doc.76-34368 Filed 11-19-76;8:45 am]

Packers and Stockyards Administration

JOE TATE COMMISSION BARN, INC., LEBEAU, LOUISIANA, ET AL.

Deposting of Stockyards

It has been ascertained, and notice is hereby given, that the livestock markets named herein, originally posted on the respective dates specified below as being subject to the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 181 et seq.), no longer come within the definition of a stockyard under said Act and are, therefore, no longer subject to the provisions of the Act.

Facility No., Name and Location of Stockyard		*Date of Posting*
LA–124	Joe Tate Commission Barn, Inc., Lebeau, La.	Oct. 15, 1964.
MI–125	Lincoln Livestock Auction Yards, Lincoln, Mich.	Apr. 23, 1959.
PA–118	Greenville Livestock Auction, Greenville, Pa.	Jan. 15, 1960.
SC–126	Greer Livestock Co., Greer, S.C.	Apr. 25, 1973.
TX–159	Community Exchange, Inc., Edinburg, Tex.	Nov. 20, 1958.
VT–108	Whiting Livestock Commission Sales, Whiting, Vt.	May 16, 1961.

Notice or other public procedure has not preceded promulgation of the foregoing rule. There is no legal justification for not promptly posting a stockyard which is no longer within the definition of that term contained in the Act.

The foregoing is in the nature of a rule relieving a restriction and may be made effective in less than 30 days after publication in the FEDERAL REGISTER. This notice shall become effective on November 22, 1976.

(42 Stat. 159, as amended and supplemented; 7 U.S.C. 181 et seq.)

Done at Washington, D.C. this 16th day of November, 1976.

/ EDWARD L. THOMPSON,
Chief, Registrations, Bonds, and Reports Branch, Livestock Marketing Division.

[FR Doc.76-34441 Filed 11-19-76;8:45 am]

CENTRAL INTELLIGENCE AGENCY

CONTROL OF RECORDS DESTRUCTION

Procedures and Policy

On September 7, 1976 a notice was issued to all CIA personnel setting out policy and procedures for the control of records destruction. The purpose of this Notice is to insure that destruction of unnecessary or improperly maintained records is carried out in the manner prescribed by statute and by clearance of the Senate Select Committee on Intelligence.

Records subject to the moratorium on destruction will not be destroyed prior to December 10, 1976.

The text of the Notice is as follows:

RECORDS CONTROL SCHEDULES AND THE DESTRUCTION MORATORIUM

(1) CIA has statutory obligations (44 U.S.C. 33) to obtain approval of the Administrator of General Services for the retention and destruction of records. The mechanism for obtaining GSA approval is the submission of records control schedules to the National Archives and Records Service (NARS) for approval by the Archivist of the United States. GSA Bulletin FPMR B–62, dated 22 January 1976, requires Federal agencies to submit to NARS updated records control schedules by 31 December 1976. In a memorandum dated 20 April 1976, the DCI directed that Agency records control schedules be updated by 30 September 1976 and processed through the Directorate of Administration for approval by NARS prior to the destruction of records.

(2) Senate Resolution 21, dated 21 January 1975, established the Senate Select Committee to Study Governmental Operations With Respect to Intelligence Activities. The Senate leadership requested in a letter dated 27 January 1975 that the Agency not dispose of any records or documents bearing on the subjects under investigation by the Select Committee. In a memorandum dated 28 January 1975, Mr. Colby directed that any records or documents that may have a bearing on Senate Resolution 21 not be destroyed. This was extended to include practically all Agency documents. This hold on destruction has since been referred to as "the moratorium." In a letter to the Senate leadership dated 22 June 1976, the DCI extended the moratorium on destruction of records until 10 December 1976.

(3) CIA policy on destruction of records is that:

(a) All records, including those falling under General Records Schedules, will be covered by records control schedules approved by NARS (with a copy provided to the Senate Select Committee on Intelligence) prior to their destruction.

(b) Routine administrative records not involved under Senate Resolution 21 that are scheduled for immediate destruction will be destroyed upon receipt of NARS approval and after appropriate clearance from the Senate Select Committee.

(c) Records involved under Senate Resolution 21 that are scheduled for immediate destruction will be destroyed after NARS approval, and appropriate clearance from the Senate Select Committee but in no case prior to 10 December 1976.

(d) Any Agency documents and materials that are identified by the General Counsel as the subject of litigation or of possible litigation, or as of interest in matters under investigation by the Justice Department, will not be destroyed without the prior approval of the General Counsel. This includes documents and materials relating to Freedom of Information Act and Privacy Act requests to the Agency.

(e) Extra copies of documents preserved only for convenience of reference or for distribution stocks of publications may be destroyed when no longer needed.

JOHN F. BLAKE,
Deputy Director for Administration.

[FR Doc.34393 Filed 11-19-76;9:15 am]

CIVIL AERONAUTICS BOARD

[Order 76-11-73; Docket 27592, Agreement C.A.B. 26202; Docket 29123, Agreement C.A.B. 26204 R-1 through R-6, Agreement C.A.B. 26206 R-1 and R-2, R-4 through R-9, Agreement C.A.B. 26214, Agreement C.A.B. 26231]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Passenger Fare Matters

Agreements have been filed with the Board pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's Economic Regulations between various air carriers, foreign air carriers and other carriers embodied in the resolutions of the Traffic Conferences of the International Air Transport Association (IATA). The agreements were adopted at either the Special Composite Passenger and Cargo Traffic Conference-Currency or the Composite Passenger Traffic Conference both held in Miami during August and September–October, respectively, of this year and, unless otherwise noted, intended for effect in November or December of 1976.

The agreements would have either direct application in air transportation as defined by the Act as follows: Agreement C.A.B. 26202 would exempt Fiji domestic and add-on fares from application of a currency-related surcharge on passenger fares originating in that country destined to Area 2 (Europe/Middle East/Africa). Agreement C.A.B. 26204 would amend a number of proportional fares use to construct through fares over the Mid Atlantic. Agreement C.A.B. 26206 would permit departure from the IATA fare construction rules for certain specified intra-Pacific routings, increase passenger fares between most Middle Eastern points by 3 percent, increase passenger fares between Italy/Paris and Tel Aviv by 5 percent, and amend certain South Atlantic proportional fares. Agreement C.A.B. 26214 would permit an existing exception to the IATA fare construction rules for certain Mid Atlantic normal economy fares to continue through March 31, 1977. Finally, Agreement C.A.B. 26231 would increase all passenger fares between certain Middle Eastern points and points on the Indian Sub-continent by 5 percent.

We will approve the ag for the most part, involve which are combinable wi the United States and th direct application in air as defined by the Act. Mid-Atlantic proportion construct through fares Rico and the Virgin Islan Atlantic, appear warrant they reflect changes in within Area 2.

Pursuant to authority by the Board in the Boar 14 CFR 385.14:

1. It is not found tha resolutions, incorporated C.A.B. 26204 as indicated the public interest or in Act:

Agreement CAB	IATA No.	Title
26204:		
R-1	054b(I)	Mid-Atlantic First-Class Fares (Amending)
R-2	064b(I)	Mid-Atlantic Economy-Class Fares (Amending)
R-3	054b(II)	Mid-Atlantic First-Class Fares (Amending)
R-4	064b(II)	Mid-Atlantic Economy-Class Fares (Amending)
R-5	054b(III)	Mid-Atlantic First-Class Fares (Amending)
R-6	064b(III)	Mid-Atlantic Economy-Class Fares (Amending)

2. It is not found that the following resolutions, incorporated in as indicated and which have indirect application in Air Transport by the Act, are adverse to the public interest or in violation of the

Agreement CAB	IATA No.	Title
26202	022i	JT23/123 Special Rules for Sales of Passenger Air Transportation pedited) (Amending).
R-1	002m	Special Amending Resolution (Expedited)
R-2	002n	Special Amending Resolution (Expedited)
R-4	003b	General Increase in Passenger Fares (Expedited) (New)
R-5	003c	General Increase In Passenger Fares (Expedited) (New)
R-7	053c	South Atlantic Normal First-Class Fares (Expedited) (Amending)
R-8	053c	South Atlantic Economy-Class Fares (Expedited) (Amending)
26214	002k	Special Amending Resolution (Expedited)
26231	005k	General Increase in Passenger Fares (New)

3. It is not found that the following resolutions, incorporated C.A.B. 26206 as indicated, affect air transportation within the mean

Agreement CAB	IATA No.	Title
26206:		
R-6	045	Passenger Charters (Expedited) (Amending) ††
R-9	054kk	TC3 Group Inclusive Tour Fares—Asia/South West Pacific (Expedited) (Amending).

Accordingly, *it is ordered*, That:

1. Those resolutions set forth in finding paragraphs one and two above be and hereby are approved; and

2. Jurisdiction be and hereby is disclaimed with respect to the resolutions set forth in finding paragraph three above.

Persons entitled to petition the Board for review of this order, pursuant to the Board's Regulations, 14 CFR 385.50, may file such petitions within ten days after the date of service of this order.

This order shall be effective and become the action of the Civil Aeronautics Board upon expiration of the above period, unless within such period a petition for review thereof is filed or the Board gives notice that it order on its own motion.

This order will be pu FEDERAL REGISTER.

PHYLLIS

[FR Doc.76-34269 Filed 11-

[Order 76-11-92; Doc

UNITED AIR LINE

Round-Trip Charter Ch Dismissing Com

Adopted by the Civil Aer at its office in Washing 16th day of November, 19

☐ UNCLASSIFIED ☐ INTERNAL USE ONLY ☐ CONFIDENTIAL ☐ SECRET

HSC Assassinations

ROUTING AND RECORD SHEET

OLC 76-3580

SUBJECT: (Optional)

OLC RECORD COPY

FROM: Office of Legislative Counsel
7D35 Hq.

EXTENSION 9010

NO.

DATE 10 December 1976

TO: (Officer designation, room number, and building)	DATE RECEIVED	DATE FORWARDED	OFFICER'S INITIALS	COMMENTS (Number each comment to show from whom to whom. Draw a line across column after each comment.)
1. DDO 7E26 Hq.				Attached is a revised letter to Chairman Downing, House Select Committee on Assassinations, concerning the moratorium on the destruction of Agency documents. The prior letter to Chairman Downing on this subject dated 23 November, was returned by the Committee as unacceptable. The main revision in the attached allows the Committee a review of the document disposition lists prior to destruction.
2.				
3. DDA (Hal Bean) 7D02				
4.				
5. OGC 7D01 Hq.				
6.				
7. IG 2E24				
8.				
9. ER				
10.				
11.				
12.				
13.				
14.				
15.				

Pat Carpentier
OLC

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CIA HISTORICAL REVIEW PROGRAM

FORM 3-62 610 USE PREVIOUS EDITIONS ☐ SECRET ☐ CONFIDENTIAL ☐ INTERNAL USE ONLY ☐ UNCLASSIFIED

16. (Unclassified - NDL) LIAISON Called Judy Hollis, in the office of Senator Roman Hruska (R., Neb.), and told her that the picture of the Senator and Mr. Bush would be signed by Mr. Bush as soon as we got the pictures back from our photographer and we would get them to the Senator. She said that would be fine.

17. (Secret - THW) LIAISON Jack Lawn, FBI, called saying that staff members of the House Select Committee on Assassinations were bothered by the third agency rule and could not understand why, if they are going to see all documents, they cannot look at all documents in possession of a particular agency, whether that agency's documents or another agency's. He asked for our position on this matter stating that the Bureau was willing to allow committee staffers to read certain documents located elsewhere but wanted to reserve some documents for reading at the Bureau only. I told him we had not had a problem in this area as yet, but that if confronted we would probably try to play the role of a broker in obtaining the permission of the third agency for review of the documents by staffers and in general be as cooperative as possible within limits.

18. (Internal Use Only - PLC) LEGISLATION Steve Needle, Office of General Counsel, OMB, called to advise that the proposed Executive order to pick up for CIARDS the change in the Civil Service law for computing cost-of-living increases, will be sent to Justice today with an urgent request that it be expedited for submission to the President.

19. (Secret - PLC) LIAISON Called Chairman Lucien Nedzi (D., Mich.) House Armed Services Special Subcommittee on Intelligence, and Bill Hogan, Counsel, House Armed Services Committee, and gave them a rundown on the Moore case from the fact sheet by Security. Chairman Nedzi gave me his home phone and asked that I call him if anything important develops. I left word with Mr. Gambino's, D/OS, office to call me at home should anything important come up and advise them of Chairman Nedzi's interest in the case.

18919

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CIA HISTORICAL REVIEW PROGRAM

LYLE L. MILLER
Acting Legislative Counsel

cc:

O/DCI	Ex. Sec.	DDS&T	IC Staff
O/DDCI	DDA	Mr. Lapham	SA/DO/O
Mr. Grinwis	DDI	Mr. Falkiewicz	Comptroller
NIO			

Entire pkg file on IG

IG TASK FORCE

CRITERIA & PROCEDURES

Ryan

HSCA
77-0056

Guidelines

Priority Categories

CIC #79-4267

The IG proposes to apply the following priorities to all requests received from the Review Staff:

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CIA HISTORICAL REVIEW PROGRAM

1. Priority I will be used only when absolutely necessary. It will apply primarily to House or SSC requests dealing with a realistic, short-time deadline. It will also be used for the most significant requirements developed during DCI testimony. A deadline will be set for each Priority I, the longest being 4 days. Advice from the Review Staff will be useful.

2. Priority II will cover most responses to requirements developed during DCI testimony, and to many of the simpler responses to specific written requirements from Senators Church and Tower. A specific deadline will not be set, but it is to be understood that the deadline in all Priority II cases will be 10 days.

3. Priority III will be applied to all requirements where it appears to the IG that the complexity of the requirement or its seeming lack of priority warrant a longer period of action. The deadline for all Priority III actions will be 30 days.

4. Of more significance than the actual setting of deadlines will be the ability of components concerned to deliver within the time specified. If it is clear to a component that it cannot meet a deadline, such information should be transmitted to the IG just as soon as possible, with the reason for the delay. In such cases the component should state when it expects to satisfy the requirement. If the component when first handling a requirement believes it can meet a deadline but subsequently discovers it cannot, it is important to get this information also to the IG as soon as possible.

5. The Review Staff and the IG will attempt to even out peak loads as much as possible by getting the House or the SSC to set priorities in the case of extensive requirements.

18920

J-11
HSCA
77-0007/14

Guidelines

10. (Unclassified - RJK) LIAISON Lot Cooke, Senate Select Committee on Intelligence staff, called to request that we relay to Don Rottman, NSA Staff, the clearances held by Danny Childs, of the Senate Select Committee on Intelligence staff. I did so and explained to Rottman that Childs formerly worked for the Agency, but recently transferred to the Committee.

11. (Internal Use Only - PLC) LIAISON Paul Daly, Legislative Liaison for the FBI, called to alert us that the Archivist and Richard Sprague, Chief Counsel, House Select Committee on Assassinations, have made a written agreement to deny the FBI and other executive agencies access to their reports and materials furnished to the Warren Commission and now in the custody of Archives. The Archivist, based on this agreement, denied the FBI access to a bullet which the FBI wanted to match with one recently found in the vicinity of where the Kennedy assassination occurred. Daly said the FBI was not consulted by the Archivist when this agreement was made with Sprague and the Justice Department may question the authority of the Archivist to do this unilaterally. He will secure a copy of the agreement and will give us a copy.

12. (Unclassified - JMD) FBIS Received a call from Ed McElwain, in the office of Senator Gary Hart (D., Colo.), who said he would like some changes in FBIS subscriptions for himself and other members of the Senator's staff: McElwain would like to continue the Subsaharan/Africa book but cancel the European and Soviet Union books; Paul Clark would like to cancel the Middle East book, and Len Stewart wants to cancel the East European book. I called Dwight Marsh, FBIS, and he will take care of this.

13. (Unclassified - JMD) FBIS Received a call from Pam, in House Speaker Thomas O'Neill's (D., Mass.) office, who wanted to report the new address for the delivery of the Middle East FBIS Daily Report to Ari Weiss, room H-209 The Capitol. I passed this information on to Dwight Marsh, FBIS.

18921

Guidelines

6. (Unclassified - RJK) LIAISON Received a call from Barbara Allen, Senate Foreign Relations Committee staff, requesting a copy of the January 1976 Agency Western Hemisphere Atlas. I told her I would be coming to the Hill tomorrow and would drop a couple of copies off with her.

7. (Unclassified - DFM) LIAISON Anne Karalekas, Senate Select Committee on Intelligence staff, called and informed me that she had been in touch with Mr. Sorensen's New York office and would get most of the information they needed from that source. I asked her to keep me informed of anything the Committee needed from us and we would see they get it. I told her the letter from the General Counsel to the Committee regarding conflicts of interest would be delivered by close of business tomorrow.

8. (Unclassified - LLM) LIAISON Danny Coulson, Legal Counsel, FBI, called to advise that the Attorney General was going to send a letter to the Speaker of the House on cutting off access to any information to the House Select Committee on Assassinations since it is technically out of business and to do so would cause legal implications, namely, vulnerability of FBI personnel to law suits under the Privacy Act. They will stress in the letter that they will continue to prepare material for review recognizing that the current status most likely is only temporary. I thanked him for the information.

9. (Unclassified - LLM) LIAISON Howard Liebengood, Senate Select Committee on Intelligence staff, called and said that Mike Madigan, also on the Committee staff, and some others were sent to the Kennedy library to review material in connection with Mr. Sorensen's confirmation hearing on Monday, 17 January and there was some sort of hold-on some of the material. I reviewed my understanding of the procedure to be followed: review of indices, selection of documents, to be followed by review by appropriate agencies and provisioning documents to the Committee. Liebengood complained over the length of this process and couldn't understand why the documents couldn't be seen on the spot. I told him Executive privilege may be involved, that he should contact the NSC, and that in the meantime I would see what I could do.

I later called back to assure that contact was being made at the right level within the Executive Branch and that we were not considered a blocking agent.

18922

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Guidelines

MEMORANDUM FOR: Legislative Counsel

FROM : John H. Waller
Inspector General

SUBJECT : Views of the Select Committee on Assassinations

1. I would like to draw your attention to some of the comments made by various members of the House Select Committee on Assassinations in their report, to the House of Representatives, representing the results of the Committee's investigation and study since its inception on September 17, 1960:

a. On page 10, Congressman Henry B. Gonzalez stated, "We know that neither the FBI nor CIA cooperated fully with the Warren Commission". (Underlining added).

b. On pages 16 and 17, Congressman Christopher J. Dodd stated, "Central to the thoroughness of our investigations will be the necessity to obtain confidential, sensitive, or classified material from Federal agencies. In this regard, I believe the Committee should insist on full and total disclosure on all relevant documents in raw, rather than edited or excised form. The Committee should have the unlimited opportunity to make an independent analysis of these documents, and it should not accept any preselection or screening of information by an agency. Acceptance of edited or screened information could jeopardize the independence of the Committee's investigations and could raise the possibilities of pertinent information being withheld by the agencies. To obtain the necessary raw information and documents, the Select Committee should avoid the past experience of other congressional bodies which made "treaties" with Federal agencies about access to information. The requirement of a thorough, independent

18923

investigation must not be compromised away through "treaties", and the Committee must be willing to employ all appropriate means, including contempt of Congress citations, to obtain needed information". (Underlining added).

2. While I do not disagree with the view that there should be full and total disclosure on all relevant documents, I would hope that access would be on CIA premises only. I do feel, however, that procedures are necessary for the protection of sources and methods, especially if documents are removed from CIA premises. Attached herewith for your information is the Committee Report together with Additional and Supplemental Views of the Select Committee on Assassinations.

John H. Waller

Attachment: a/s